

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DARIN J. FRANKLIN,

Plaintiff,

v.

TANIA ARGUELLO, et al.,

Defendants.

3:15-cv-00196-RCJ-WGC

ORDER

I. DISCUSSION

This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by a state prisoner. The Court entered a screening order on the Plaintiff's amended complaint on May 11, 2016. (ECF No. 21). In the screening order, the Court imposed a 90-day stay to allow Plaintiff and the defendants an opportunity to settle their dispute before an answer was filed or the discovery process began. (*Id.* at 5:11-22).

The Court also issued a further order in which the parties were assigned to mediation by a court-appointed mediator. (ECF No. 27). The Office of the Attorney General has filed a status report indicating that the mediation took place, a settlement has not been reached, and informing the Court of its intent to proceed with this action. (ECF No. 30).

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1 **II. CONCLUSION**

2 For the foregoing reasons, IT IS ORDERED that:

3 1. The Clerk of the Court shall electronically **SERVE** a copy of this order and a copy
4 of Plaintiff's amended complaint (ECF No. 22) on the Office of the Attorney General of the
5 State of Nevada, attention Kat Howe.

6 2. Subject to the findings of the screening order (ECF No. 21), within **twenty-one**
7 **(21) days** of the date of entry of this order, the Attorney General's Office shall file a notice
8 advising the Court and Plaintiff of: (a) the names of the defendants for whom it accepts
9 service; (b) the names of the defendants for whom it does not accept service, and (c) the
10 names of the defendants for whom it is filing last-known-address information under seal. As
11 to any of the named defendants for which the Attorney General's Office cannot accept service,
12 the Office shall file, *under seal*, but shall not serve the inmate Plaintiff the last known
13 address(es) of those defendant(s) for whom it has such information. If the last known address
14 of the defendant(s) is a post office box, the Attorney General's Office shall attempt to obtain
15 and provide the last known physical address(es).

16 6. If service cannot be accepted for any of the named defendant(s), Plaintiff shall
17 file a motion identifying the unserved defendant(s), requesting issuance of a summons, and
18 specifying a full name and address for the defendant(s). For the defendant(s) as to which the
19 Attorney General has not provided last-known-address information, Plaintiff shall provide the
20 full name and address for the defendant(s).

21 7. If the Attorney General accepts service of process for any named defendant(s),
22 such defendant(s) shall file and serve an answer or other response to the complaint within
23 **sixty (60) days** from the date of this order.

24 8. Henceforth, Plaintiff shall serve upon defendant(s) or, if an appearance has been
25 entered by counsel, upon their attorney(s), a copy of every pleading, motion or other document
26 submitted for consideration by the Court. Plaintiff shall include with the original paper
27 submitted for filing a certificate stating the date that a true and correct copy of the document
28 was mailed to the defendants or counsel for the defendants. If counsel has entered a notice

1 of appearance, Plaintiff shall direct service to the individual attorney named in the notice of
2 appearance, at the address stated therein. The Court may disregard any paper received by
3 a district judge or magistrate judge which has not been filed with the Clerk, and any paper
4 received by a district judge, magistrate judge, or the Clerk which fails to include a certificate
5 showing proper service.

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7 DATED: This 11th day of August, 2016.

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10 United States Magistrate Judge
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